

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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| FLOYD EVANS,          | : |                             |
|                       | : |                             |
| Plaintiff,            | : | Civil No. 13-270 (MAS)      |
|                       | : |                             |
| v.                    | : |                             |
|                       | : |                             |
| BRIAN ELWOOD, et al., | : | <b>MEMORANDUM AND ORDER</b> |
|                       | : |                             |
| Defendants.           | : |                             |
|                       | : |                             |

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This matter has come before the Court on Petitioner's submission of a Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2241. It appearing that:

1. Petitioner is currently confined at Monmouth County Correctional Institution in Freehold, New Jersey.
2. Upon filing Petitioner neither prepaid the \$5.00 filing fee for a habeas petition as required by Local Civil Rule 54.3(a) nor submitted any materials in application to proceed *in forma pauperis*, but subsequently paid the filing fee.
3. The Petition was unsigned. The Clerk's Office entered a Quality Control Message noting that the Petition for Writ of Habeas Corpus, Docket Entry No. 1, did not contain a signature. Petitioner was instructed to resubmit the documents with a signature. A copy of the documents was sent to Petitioner on January 15, 2013 for his signature.
4. No response has been received from Petitioner with regard to the unsigned pleading.
5. The Court is required to strike an unsigned paper if the party does not promptly correct the error after being alerted of the omission. See Fed.R.Civ.P. 11(a).

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WILLIAM T. WALSH CLERK

6. Accordingly, the Court will strike the Petition due to Petitioner's failure to provide a signed copy of his Petition.

IT IS THEREFORE on this 17<sup>th</sup> day of March, 2013,

ORDERED that the unsigned Petition is hereby stricken from the docket; and it is further

ORDERED that Petitioner's petition for a writ of habeas corpus shall be administratively terminated; and it is further

ORDERED that, if Petitioner wishes to reopen this action, he shall so notify the Court within 30 days of the date of entry of this Order, in writing addressed to the Clerk of the Court,

Clarkson S. Fisher U.S. Courthouse and Federal Bldg., 402 East State Street, Trenton, New Jersey 08608; Petitioner's writing shall include a signed copy of his Petition; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Petitioner by regular U.S. mail; and it is finally

ORDERED that the Clerk of the Court shall close the file in this matter.

  
MICHAEL A. SHIPP  
UNITED STATES DISTRICT JUDGE